

Application No.: 10/571,879
Filing Date: January 29, 2007

REMARKS

Claims 21-22 are withdrawn. Claims 14-20 have been amended. Support for the amendments can be found throughout the specification and claims as originally filed. Accordingly, no new matter has been added by way of this amendment.

In the action electronically sent on September 3, 2009, the Examiner required restriction of prosecution to one of the following groups of claims:

- I. Claims 1-13 and 23-25, drawn methods of detecting nucleic acid polymorphisms associated with migraine.
- II. Claims 14-20, drawn to kits containing primers for amplifying and detecting polymorphisms in a female sex steroid receptor gene.
- III. Claims 21-22, drawn to methods of detecting protein polymorphism using expression analysis.

Election of Invention

In response, Applicants elect to proceed with prosecution of Group I, Claims 1-13 and 23-25. This election is made without traverse.

Additionally, Applicants have amended Claims 14-20 to be method claims ultimately dependent on either Claim 1 or Claim 9. These claims are now directed to methods of detecting nucleic acid polymorphisms associated with migraine. Accordingly, Applicants submit that Claims 14-20 as amended should be included in Group 1 and examined together with the original claims of Group I.

In view of the foregoing, Applicants submit that the application is in condition for examination on the merits of Claims 1-20 and 23-25, and respectfully requests the same.

CONCLUSION

Applicants respectfully submit that the claims as presented are in condition for allowance. Therefore, Applicants respectfully request that the Examiner allow the application.

No Disclaimers or Disavowals

Application No.: 10/571,879
Filing Date: January 29, 2007

The amendments made herein are made solely to redraft claims formerly directed to non-elected subject matter in a way that they are directed to the elected group. As such, no implication is intended concerning the patentability of the formerly pending subject matter, as the amendments were made for reasons entirely unrelated to patentability.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 2, 2010

By: 

Brent C. Moore
Registration No. 55,461
Attorney of Record
Customer No. 20995
(619) 235-8550

8639183
030110